

Our reference: 1712-3133 SRA  
Your reference: MCU15/0129.02  
Applicant reference: 15011

11 July 2018

The Chief Executive Officer  
Sunshine Coast Regional Council  
Locked Bag 72  
SUNSHINE COAST MAIL CENTRE QLD 4560  
mail@sunshinecoast.qld.gov.au

Attention: Leanne Simpson

Dear Ms Simpson

**Changed referral agency response—with conditions**  
(Given under section 28 of the Development Assessment Rules)

On 11 June 2018 the Department of State Development, Manufacturing, Infrastructure and Planning (the department) received representations from the applicant requesting the department change its referral agency response. The department has considered the representations and now provides this changed referral agency response, which replaces the response dated 22 February 2018.

**Applicant details**

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Applicant name: Tricare (Caloundra) Pty Ltd c/- Project Urban  
Applicant contact details: PO Box 6380  
Maroochydore BC QLD 4558  
Tiani.Boulton@projecturban.com.au

**Location details**

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Street address: 84 - 86 Caloundra Road, Little Mountain  
Real property description: Lot 2 RP902089; Lot 3 RP902089  
Local government area: Sunshine Coast Regional Council

**Application details**

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Development permit Material change of use for Other change application – Retirement community, aged care – from 125 beds to 118 beds

### Referral triggers

The development application was referred to the department under the following provisions of the Planning Regulation 2017:

- 10.9.4.1.1.1 Infrastructure - state transport infrastructure
- 10.9.4.2.4.1 State transport corridors and future state transport corridors

### Conditions

Under section 56(1)(b)(i) of *Planning Act 2016*, the conditions set out in Attachment 1 must be attached to any development approval.

### Reasons for decision to impose conditions

The department must provide reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

### Advice to the assessment manager

Under section 56(3) of the Act, the department offers advice about the application to the assessment manager—see Attachment 3.

### Approved plans and specifications

The department requires that the plans and specifications set out below and enclosed must be attached to any development approval.

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
<b>Aspect of development: Material change of use – Retirement community (Aged care 118 rooms)</b>				
Basement GA plan (overall)	Deicke Richards Architects	25 May 2018	DD-0001	P6
Site plan	Deicke Richards Architects	25 May 2018	DD-1011	P7

A copy of this response has been sent to the applicant for their information.

For further information please contact Jamaica Hewston, Principal Planning Officer, on 5352 9718 or via email [SEQNorthSARA@dsdmip.qld.gov.au](mailto:SEQNorthSARA@dsdmip.qld.gov.au) who will be pleased to assist.

Yours sincerely



Luke Lankowski  
Manager, Planning

cc Tricare (Caloundra) Pty Ltd c/- Project Urban, [Tiani.Boulton@projecturban.com.au](mailto:Tiani.Boulton@projecturban.com.au)

enc Attachment 1—Changed conditions to be imposed  
Attachment 2—Reasons for decision to impose conditions  
Attachment 3—Advice to the assessment manager  
Approved plans and specifications

## Attachment 1—Changed conditions to be imposed

Note: For changes to existing conditions—any additions are shown as bold and underlined text, any deletions are shown as struck-through text.

No.	Conditions	Condition timing
<b>Material change of use – Retirement community (Aged care – 118 beds)</b>		
10.9.4.1.1.1 and 10.9.4.2.4.1—State-controlled road—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
<b>Filling and excavation – low risk</b>		
1.	Any excavation, filling/backfilling/compaction, retaining structures and other works involving ground disturbance must not encroach or de-stabilise the state-controlled road or the land supporting this infrastructure, or cause similar adverse impacts.	At all times
<b>Managing noise impacts</b>		
2.	<p>a) Noise attenuation measure to achieve the following noise criteria must be provided:</p> <ul style="list-style-type: none"> <li>• external noise criteria at all facades of the building envelope: ≤60 dB(A) L10 (18 hour) façade corrected (measured L90 (8 hour) free field between 10pm and 6am ≤40 dB(A))</li> <li>• external noise criteria in outdoor spaces for passive recreation: ≤57 dB(A) L10 (18 hour) free field (measured L90 (18 hour) free field between 6am and 12 midnight ≤45 dB(A))</li> <li>• internal noise criteria for all habitable rooms: ≤35 dB(A) Leq (1 hour) (maximum hour over 24 hours).</li> </ul> <p>b) Any noise barrier must be designed in accordance with the Department of Transport and Main Roads' Road Traffic Noise Management Code of Practice, Chapter 5 Specifications MRS15 and MRTS15.</p> <p>c) RPEQ certification must be provided to the Development Assessment team within the Department of Transport and Main Roads via North.Coast.IDAS@tmr.qld.gov.au, confirming that the development has been constructed in accordance with parts (a) and (b) of this condition above.</p>	Prior to the commencement of use and to be maintained at all times.
<b>Stormwater management</b>		
3.	<p>a) Stormwater management of the development must ensure no worsening or actionable nuisance to the state-controlled road.</p> <p>b) Any works on the land must not:</p> <ul style="list-style-type: none"> <li>(i) create any new discharge points for stormwater runoff onto the state-controlled road</li> <li>(ii) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road</li> <li>(iii) surcharge any existing culvert or drain on the state-controlled road</li> <li>(iv) reduce the quality of stormwater discharge onto the state controlled road.</li> </ul>	(a) At all times. (b) At all times. (c) Prior to the commencement of use.

	c) RPEQ certification must be provided to the Development Assessment team within the Department of Transport and Main Roads via North.Coast.IDAS@tmr.qld.gov.au, confirming that the development has been designed and constructed in accordance with parts (a) and (b) of this condition above.	
<b>Vehicular access to the State-controlled road</b>		
4.	<del>The road access location/s between Lot 2 on RP902089 and the State-controlled road, and Lot 3 on RP902089 and the state-controlled road, is to be in accordance with the Decision Notice- Permitted Road Access Location made by the Department of Transport and Main Roads, dated 20 February 2017, reference TMR18-023627 under section 62(1) of the Transport Infrastructure Act 1994.</del>	At all times.
4.	<p>(a) <u>The road access location is to be located generally in accordance with Site Plan, prepared by Deicke Richards Architects, (Project No 141004) DD-0001 Rev P6, dated 25 May 2018.</u></p> <p>(b) <u>Road access works comprising a heavy duty vehicle crossing, (at the road access location) must be provided generally in accordance with Site Plan, prepared by Deicke Richards Architects, (Project No 141004) DD-0001 Rev P6, dated 25 May 2018.</u></p> <p>(c) <u>The road access works must be designed and constructed in accordance with Institute of Public Works Engineering Australasia, Standard Drawings, Driveways, Heavy Duty Vehicle Crossing, RS-051 and TMR's Road Planning and Design Manual.</u></p>	(a) at all times (b) and (c) Prior to the commencement of use
<b>Public passenger transport</b>		
5.	<p>(a) The parking bay identified as 'passenger loading bay' shown on the Basement GA Plan (Overall), prepared by Deicke Richards Architects, dated <del>3/05/2017</del> <b>28/05/2018</b>, drawing number DD-1011, revision <del>P5</del> <b>P7</b>, <del>as amended in red</del>, should be designed and constructed to ensure that the parking bay is capable of accommodating a taxi suitable for use by people with disabilities.</p> <p>(b) The parking bay required in part (a) of this condition must be in accordance with the following:</p> <ul style="list-style-type: none"> <li>• Disability Standards for Accessible Public Transport 2002 - subsection 31(1) of the <i>Disability Discrimination Act 1992</i></li> <li>• AS1428.1 – Design for Access and Mobility</li> <li>• AS2890.6 – Parking Facilities, Part 6: Off-street parking for people with disabilities</li> <li>• be sign posted with Regulatory Sign, "Special Loading Zone", "Passenger 2 minute", drawing number R5-Q04, prepared by the Department of Transport and Main Roads, dated 20/03/2017 and revision C.</li> </ul>	(a) & (b) Prior to the commencement of use and to be maintained at all times.

## Attachment 2— Changed reasons for decision to impose conditions

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The reasons for this decision are:

- to ensure the development and its construction does not cause adverse structural impacts on state transport infrastructure
- to minimise noise intrusions on a development from a state-controlled transport corridor
- to ensure that the impacts of stormwater events associated with development are minimised and managed to avoid creating any adverse impacts on the state transport corridor
- to ensure the road access location to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road
- to ensure the design of any road access maintains the safety and efficiency of the state-controlled road
- to ensure the development is carried out in compliance with the *Disability Discrimination Act 1992* and other relevant standards
- to update the referral response dated 22 February 2018 to reflect changes requested by the applicant in its representations to the department on 11 June 2018.

### Findings on material questions of fact

- The development application is to change (other than minor) the existing material change of use for a retirement community (aged care) from 125 to 118 beds.
- The development will occur on Lots 2 and 3 on RP902089, which is located within 25m of a state-controlled road corridor.

### Evidence or other material on which the findings were based

- original development approved for a Material change of use – Retirement community (Aged Care – 109 beds) approved 24 August 2016 (Council reference MCU15/0129).
- changed development approval for MCU – Retirement community (Aged Care – 125 beds) approved 28 July 2017 Council reference MCU15/0129.01).
- the current development application material
- *State Development Assessment Provisions* published by the Department of State Development, Manufacturing, Infrastructure and Planning
- *Planning Act 2016*
- Planning Regulation 2017.

### Attachment 3—advice to assessment manager

General advice	
1.	<p>The Department of Transport and Main Roads has been nominated by the Chief Executive of the Department of State Development, Manufacturing, Infrastructure and Planning as the entity responsible for the administration and enforcement of concurrence agency conditions within TMR's area of interest.</p> <p>The development should obtain a letter from TMR detailing satisfaction of compliance prior to sealing of the survey plan and the commencement of use. The developer is advised an application for compliance assessment can be made to the Development Assessment Team via North.Coast.IDAS@tmr.qld.gov.au of the Department of Transport and Main Roads (please quote TMR18-023627).</p>
2.	<p>To ensure compliance with Condition 1:</p> <p>The applicant is requested to provide RPEQ certification that any excavation, filling/backfilling/compaction, retaining structures and other works involving ground disturbances have been designed and constructed so as not to de-stabilise the state-controlled road or cause similar adverse impacts.</p> <p>It is recommended that detailed designs for any retaining structures be provided to TMR for acceptance prior to commencement of any works to ensure compliance with the relevant conditions can be achieved.</p>
3.	<p>To ensure compliance with Condition 2:</p> <p>The applicant is requested to submit to the Development Assessment Team via North.Coast.IDAS@tmr.qld.gov.au of the Department of Transport and Main Roads for review and endorsement, an amended noise report that addresses the following:</p> <ul style="list-style-type: none"> <li>• Noise monitoring used in the road traffic noise assessment is not representative of the noise on the subject site. Specifically, the reported LA90 noise levels at Location 1 which would be higher than those expected for the subject site (background noise is suspected of being lower and therefore the <math>\leq 60</math> dB(A) criteria needs to be met).</li> <li>• Additional noise monitoring should be conducted on the subject allotment for the purposes of verification and selection of assessment criteria. Measurement should be 1-hour averages and not 15 minute averages.</li> <li>• The verification of the noise model and assessment criteria should be revised based on additional measurements conducted onsite.</li> <li>• The noise level predictions for the site should be based on a 10-year horizon. The current predictions are for the year 2025 (when the application was originally lodged).</li> <li>• Predictions and the assessment should be revised and based on the year 2028. The predictions should also include LAeq(1 hour) maximum.</li> <li>• The noise modelling section within the report should state what data was used to determine the heights of the surrounding terrain and what proportions of the ground are assumed to be hard and soft.</li> <li>• Noise mitigation should be revised based on the revised predictions and assessment criteria. A sample of the AS3671 calculations in xls format should be supplied with the revised report.</li> </ul> <p>The review and endorsement of the amended report will ensure that the development complies with the noise criteria, being part a) of Condition 2.</p> <p>If a noise barrier is required, the applicant is requested to submit the noise barrier design to the Development Assessment Team via North.Coast.IDAS@tmr.qld.gov.au of the Department of Transport and Main Roads for review and endorsement, before construction commences. The review and endorsement of the noise barrier design, will ensure that the noise barrier complies with the requirements of Condition 2 and the Department of Transport and Main Road's, Road Traffic Noise Management Code of Practice, Chapter 5 and Technical Standards MRS15 and MRTS15.</p>

4.	<p>To ensure compliance with Condition 3:</p> <p>The applicant is requested to submit RPEQ certification to the Development Assessment Team via <a href="mailto:North.Coast.IDAS@tmr.qld.gov.au">North.Coast.IDAS@tmr.qld.gov.au</a> of the Department of Transport and Main Roads for review and endorsement, prior to the commencement of use. The certification is to confirm that the development has been designed and constructed in accordance with Condition 3 and achieves a 'no worsening' outcome.</p> <p>The stormwater management strategy as detailed in Stormwater Management Plan, prepared by MPN Consulting, dated 2 September 2017, reference 6769, Issue 2, demonstrates that no worsening to the state-controlled road can be achieved. RPEQ certified detailed design in accordance with the above, will satisfy TMR that the development has been constructed to comply with Condition 3.</p>
5.	<p>To ensure compliance with Condition 4:</p> <p>Under sections 62 and 33 of the Transport Infrastructure Act 1994, written approval is required from the Department of Transport and Main Roads to carry out road works that are road access works (including driveways) on a state-controlled road. Please contact the Department of Transport and Main Roads via <a href="mailto:North.Coast.IDAS@tmr.qld.gov.au">North.Coast.IDAS@tmr.qld.gov.au</a> (or phone 5451 0755), (please quote TMR18-023627) to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve.</p> <p>The approval process may require the approval of engineering designs of the proposed works, certified by a RPEQ. The road access works approval process takes time – please contact Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</p> <p>The applicant is requested to submit the certification of completion from TMR once works are complete and prior to commencement of use as evidence of compliance with Condition 4.</p>